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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,746	12/19/2001	Yumman Chan	CA920010082US1	8990

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INTERNATIONAL BUSINESS MACHINES CORP  
IP LAW  
555 BAILEY AVENUE , J46/G4  
SAN JOSE, CA 95141

EXAMINER
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WOO, ISAAC M

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/033,746

Applicant(s)

CHAN ET AL.

Examiner

Isaac M Woo

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 5/20/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) 6-17, 19-21, 28-39, 41-43 and 50-63 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 18, 22-27, 40 and 44-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/26/02</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to Applicant's Election in response to the Election/Restriction requirement set forth in the May 03, 2004, filed on May 20, 2004.
2. Applicant elected Group I, claims 1-5, 18, 22-27, 40 and 44-49, without traverse. Pending claims 1-63 (6-17, 19-21, 28-39, 41-43 and 50-63, non-elected claims withdrawn). Claims 1-5, 18, 22-27, 40 and 44-49 presented for examination for this office action.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1- are rejected under 35 U.S.C. 102(e) as being anticipated by Nakano et al (U.S. Patent No. 6,505,212, hereinafter, "Nakano").

With respect to claims 1, 23 and 45, Nakano discloses, replicating (copying from 510, fig. 5, web contents) the production data store (fig. 5, web content data, 510, fig. 5, col. 7, lines 4-58) to produce a core data store (main branch (410, 420, work area, staging area, respectively), web content data produced replicated from 510, to main branch); and, producing a shadow data store (440, edition, fig. 5, col. 7, lines 4-58) of a portion of the core data store (data on main branch stage, web content are replicated to main branch and edition modifies the part of the main branch data).

With respect to claims 2 and 24, Nakano discloses, modifying the shadow data store to produce a modified shadow data store; and applying the modified shadow data store to the core data store to create a modified core data store, see (fig. 6, col. 7, lines 4-58).

With respect to claims 3 and 25, Nakano discloses, propagating the modified core data store to modified production data store, see (fig. 6, col. 7, lines 4-58).

With respect to claims 4 and 26, Nakano discloses, generating a user view, for presentation to a user, from the shadow data store and the core data store, by combining content of the shadow data store with content of the core data store to produce a temporary image as a user view, see (fig. 6, col. 7, lines 4-58).

With respect to claims 5 and 27, Nakano discloses, presenting the temporary image to a user, see (fig. 6, col. 7, lines 4-58).

With respect to claims 18 and 40, Nakano discloses, a document, a software program, a software module, a graphic image, a video composition, an audio composition and a web page, see (fig. 6, col. 7, lines 4-58).

With respect to claims 22 and 44, Nakano discloses, insert operations, delete operations; and update operations, wherein update operations are combinations of insert and delete operations, see (fig. 6, col. 7, lines 4-58).

With respect to claim 46, Nakano discloses, data storage medium capable for recording data, see (col. 2, lines 33-65).

With respect to claim 47, Nakano discloses, medium is selected from a group consisting of magnetic, optical, biological and atomic data storage media, see (col. 2, lines 33-65).

With respect to claim 48, Nakano discloses, medium is a modulated carrier signal, see (col. 2, lines 33-65).

With respect to claim 49, Nakano discloses, transmission over at least one selected from a group of networks comprising the Internet and Extranet, see (col. 2, lines 33-65).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fenton et al (US. Pub. 2002/0194195) discloses the system for creating, editing, uploading, storing, sharing, and publishing media content. The system and process occurs within an online environment including one or more user network devices and one or more server network devices connected by a communications link to the one or more user network-enabled devices. The process includes providing access to digital assets and media creating and editing tools via a website. A website user may incorporate the digital assets into media content created or edited by the user by utilizing the media creating and editing tools. The user may then upload and store this personalized media content to storage space provided to the user by the website. The user may also "publish" this personalized media content to a user showcase page on the website. Users may share their personalized media content with other users via a share page on the website.


**Contact Information**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW  
January 6, 2005

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER